

## REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on May 18, 2007 and the references cited therewith. Applicants remarks are provided below.

### '102 Rejection of the Claims

Claims 1-7, 13-17 and 19-27 were rejected under 35 USC Section 102 (c) as being anticipated by Freilich et al. (U.S. Patent No. 6,599,125). The examiner asserts that Freilich et al. teaches each element of the rejected claims. Applicants respectfully disagree. The pending claims include the step of providing a dental mill blank comprising a substantially uncured, self-supporting, hardenable organic composition; and then machining the mill blank into a substantially uncured shaped article. As defined in the application, "substantially uncured" means that the composition has been cured to an extent of less than 10%, typically less than 5%, and more typically less than 1% whether by incidental or intentional curing mechanisms. Thus, both the unmilled and milled blank will typically be less than 1% cured.

In contrast, Freilich et al. teaches that the components are required to be at least partially cured. Freilich et al. teaches the use of prefabricated cured components for use in manufacture of dental appliances. Freilich does *not* teach the claimed method of making a dental appliance which includes providing a dental mill blank comprising a *substantially uncured, self-supporting*, hardenable organic composition; and then machining the mill blank into a substantially uncured shaped article. See, for example, column 6, liens 57 to 60 of Freilich et al. (cited by the examiner). Here, complicated shapes are formed by fully or partially curing composite material into a hardness sufficient to withstand cutting. Thus, these intermediate materials are cured, even if partially, rather than avoiding curing as claimed in the present pending application. Similarly, other teachings within Freilich et al. of prefabricated components require that they be fully or partially cured. See, e.g., column 9, lines 3 to 4.

Thus, Freilich fundamentally teaches that a material must be cured before machining. Typically that curing is complete, but it can also be a partial curing. From the specification, it is evident that Freilich requires this curing in order to make the material suitable for handling and processing. In other words, Freilich asserts that the material must be cured in order to be used in

accordance with the teachings. This is strong contrast to the present case, where the material does *not* require curing in order to be handled and milled, and claims as such that the material be substantially uncured. The present invention teaches a material that seeks to eliminate curing before further processing; while Freilich emphasizes the need to cure dental material.

Therefore, it is clear that Freilich et al. fails to teach the element of the pending claims that a substantially uncured material be used. For this reason, Applicants respectfully assert that the pending claims are not anticipated by Freilich et al.

*Section 103 Rejection of the Claims*

Claims 1-27 were rejected under 35 USC Section 103(a) as being unpatentable over Freilich et al. (U.S. Patent No. 6,599,125) in view of Karim et al. (USPGPUB 2003/0114553).

Applicants respectfully disagree. As noted above, the teachings of Freilich are in conflict with those of the present invention. In addition, nothing in Karim resolves the deficiencies of Freilich. Therefore, Applicants respectfully assert that the present invention is non-obvious in view of the combination of Freilich and Karim.

*Conclusion*

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612-746-4783) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-3688.

Respectfully submitted,

NAIMUL KARIM ET AL.

By their Representatives,

Date October 18, 2007 By / Daniel M. Pauly /  
Daniel M. Pauly  
Reg. No. 40,123  
Customer Number: 32692